

920228 ME

ORIGINAL

RECEIVED

FEB 28 1992

Federal Communications Commission
Office of the Secretary

LAW OFFICES
BROWN FINN & NIETERT, CHARTERED
SUITE 660
1920 N STREET, N.W.
WASHINGTON, D.C. 20036
TEL (202) 887-0600
FAX (202) 457-0126

February 28, 1992

Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: **Wilburn Industries, Inc.**
Westerville, Ohio
BPH-911230MC

Dear Ms. Searcy:

On behalf of our client, Wilburn Industries, Inc., applicant to construct a new FM broadcast station at Westerville, Ohio (File No. BPH-911230MC), there are submitted herewith an original and two copies of an amendment to its application.

The amendment reflects the corporate restructuring of the applicant, the revision of its initial integration proposal and an increase in the ERP which initially was proposed in its application. The amendment also corrects certain elements of the applicant's technical proposal so as to conform with the information already on file with the Commission in connection with the existing tower and antenna of former Station WBBY-FM. Finally, the amendment includes an FCC Form 396-A Model EEO Program.

The instant amendment includes information which the applicant previously submitted to the Commission on January 28 and January 30, 1992. The information is being submitted again, out of an abundance of caution, after release of a public notice announcing the acceptance of the subject application for tender (Report No. 15189, released February 6, 1992). See Section 73.3521(a) of the Rules.

RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
MAR 2 2 33 PM '92

LAW OFFICES

BROWN FINN & NIETERT, CHARTERED

Donna R. Searcy, Secretary
Federal Communications Commission
February 28, 1992
Page Two

Please direct any inquiry concerning this submission to the undersigned.

Very truly yours,

A handwritten signature in cursive script, reading "Eric S. Kravetz", with a long horizontal flourish extending to the right.

Eric S. Kravetz

ESK:Wilburn.fcc\ajs
Enclosure

RECEIVED

FEB 28 1992

Federal Communications Commission
Office of the Secretary

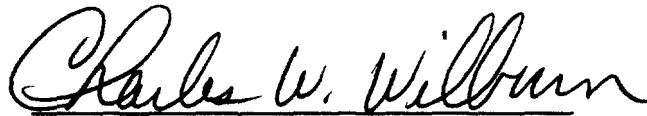
MAR 2 2 53 PM '92

AUDIENCE SERVICES

Re: **Channel No. 280A**
Westerville, Ohio

Please amend the application of Wilburn Industries, Inc. for an FM station at Westerville, Ohio to include the attached materials.

Date: 2/27/92


Charles W. Wilburn
President

RECEIVED

FEB 28 1992

LEGAL AMENDMENT

Federal Communications Commission
Office of the Secretary

The attached amendment reflects the restructuring of the corporate applicant to provide for the issuance of voting and nonvoting stock, the decision by Bernard P. Wilburn to hold nonvoting stock, and the revision of the applicant's integration proposal with respect to its remaining voting shareholder, Charles W. Wilburn. The amendment also includes an EEO Model Program.

NOV 2 2 53 PM '91
RECEIVED

Please include the following amendments to Form 301, Application for construction permit for commercial broadcast station of Wilburn Industries, Inc., Application Reference No. 911230 MC:

Page 1, Question 1

Send notices and communications to Charles W. Wilburn only

Page 1, Question 3

 X No This application is not mutually exclusive with a renewal application

Page 2, Question 5

(a) X Yes Applicant certifies that no limited partner or non-voting shareholder will be involved in any material respect in the management or operation of the proposed station.

Page 3, Question 6

1.	Wilburn Industries, Inc. 210 South Court Street P.O. Box 418 Circleville, Ohio 43113	Charles W. Wilburn 3324 Westbury Drive Columbus, Ohio 43221	Bernard P. Wilburn 1063 Pennsylvania Avenue Columbus, Ohio 43201
2.	An Ohio Corporation	USA	USA
3.	N/A	President, Secretary Treasurer, Director	None
4.	-0-	375 Voting	375 Non-Voting
5.	-0-	375	-0-
6.	N/A	100%	0%
7.	None	None	None
8.	None	None	None

Page 6, Question 3

Bernard P. Wilburn is a shareholder but not an officer or director. All of Bernard P. Wilburn's shares are non-voting.

Page 7, Question 1

Please See Amended Integration Statement attached hereto as Amended Exhibit 4

Page 7, Question 2

Applicant will claim no qualitative credit for any of the enhancement factors included in this question.

Page 24, Section VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM
Question 1

See Broadcast Equal Employment Opportunity Program Report
(FCC 396A) attached

Page 25, Certification

Delete signature of Bernard P. Wilburn, Vice President &
Secretary

AMENDED
EXHIBIT 4

SECTION IV-B -- INTEGRATION STATEMENT

1. Principal, Charles W. Wilburn, who holds 375 voting shares of Applicant Wilburn Industries, Inc. (all of the corporations's voting shares) intends to participate in the management of the radio station on a full time basis at a minimum of 40 hours a week. Charles W. Wilburn will hold the position of general manager, and will conduct the station's day to day operations including overseeing all programming, public service and sales.

Charles W. Wilburn graduated from the Ohio State University Business School in 1957, and has been a licensed Certified Public Accountant in Ohio since 1960. He is a 1964 graduate of the Ohio State University Law School, and has practiced law in central Ohio from 1964 to the present with principal offices in Circleville, Ohio. His law practice is oriented to business matters.

Mr. Wilburn will move to Westerville, Ohio in the event the commission grants applicant the license.

Mr. Wilburn has been a resident of central Ohio for 30 years, and Upper Arlington, in northern Franklin County, Ohio for the past 14 years. He is a member of numerous professional, civic and fraternal organizations including Rotary International, BPOE, University Club of Columbus, the SBEBSSQA and Masonic Lodge and Columbus Bar Association.

Mr. Nelson Embrey, former owner and operator of WNRE, Circleville, Ohio for 26 years will be employed as a consultant at the station if the license is granted by the commission.

Federal Communications Commission
Washington, D.C. 20554

Approved by OMB
5010-0120
Expires 8/30/93

BROADCAST EQUAL EMPLOYMENT OPPORTUNITY MODEL PROGRAM REPORT

1. APPLICANT

Name of Applicant Wilburn Industries, Inc.	Address 210 South Court Street P. O. Box 418 Circleville, Ohio 43113
Telephone Number (include area code) (614) 474-2780	

2. This form is being submitted in conjunction with:

- ☒ Application for Construction Permit for New Station ☐ Application for Assignment of License
- ☐ Application for Transfer of Control
- (a) Call letters (or channel number of frequency) _____ Channel 280A
- (b) Community of License (city and state) _____ Westerville, Ohio
- (c) Service: ☐ AM ☒ FM ☐ TV ☐ Other (Specify) _____

INSTRUCTIONS

Applicants seeking authority to construct a new commercial, noncommercial or international broadcast station, applicants seeking authority to obtain assignment of the construction permit or license of such a station, and applicants seeking authority to acquire control of an entity holding such construction permit or license are required to afford equal employment opportunity to all qualified persons and to refrain from discrimination in employment and related benefits on the basis of race, color, religion, national origin or sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, an applicant who proposes to employ five or more full-time employees must establish a program designed to assure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives and Hispanics). This is submitted to the Commission as the Model EEO Program. If minority group representation in the available labor force is less than five percent (in the aggregate), a program for minority group members is not required, in such cases, a statement so indicating must be set forth in the EEO model program. However, a program must be filed for women since they comprise a significant percentage of virtually all area labor forces. If an applicant proposes to employ fewer than five full-time employees, no EEO program for women or minorities need be filed.

Guidelines for a Model EEO Program and a Model EEO Program are attached.

NOTE: Check appropriate box, sign the certification below and return to FCC:

- ☐ Station will employ fewer than 5 full-time employees; therefore no written program is being submitted.
- ☒ Station will employ 5 or more full-time employees. Our Model EEO Program is attached. (You must complete all sections of this form.)

I certify that the statements made herein are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 25th day of January, 1992

Signed C. Parks W. Wilburn

Title PRESIDENT

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

FROM: Downtown Copy Center

TO:

DEC 30, 1991 2:57PM P.03

GUIDELINES TO THE MODEL EEO PROGRAM

The model EEO program adopted by the Commission for construction permit applicants, assignees and transferees contains 1 sections designed to assist the applicant in establishing an effective EEO program for its station. The specific elements are:

FROM: Downtown Copy Center

TO:

DEC 30, 1991 2:58PM P.04



The station's employment application form will contain a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local State or Federal agency if they believe they have been the victims of discrimination.



Appropriate notices will be posted informing applicants and employees that the station is an Equal Opportunity Employer

V. TRAINING

- ☒ Station resources and/or needs will be such that we will be unable or do not choose to institute programs for upgrading the skills of employees.
- ☒ We will provide ^{informal} on-the-job training to upgrade the skills of employees.
- ☐ We will provide assistance to students, schools, or colleges in programs designed to enable qualified minorities and women to compete in the broadcast employment market on an equitable basis:

School or Other Beneficiary

Proposed Form of Assistance

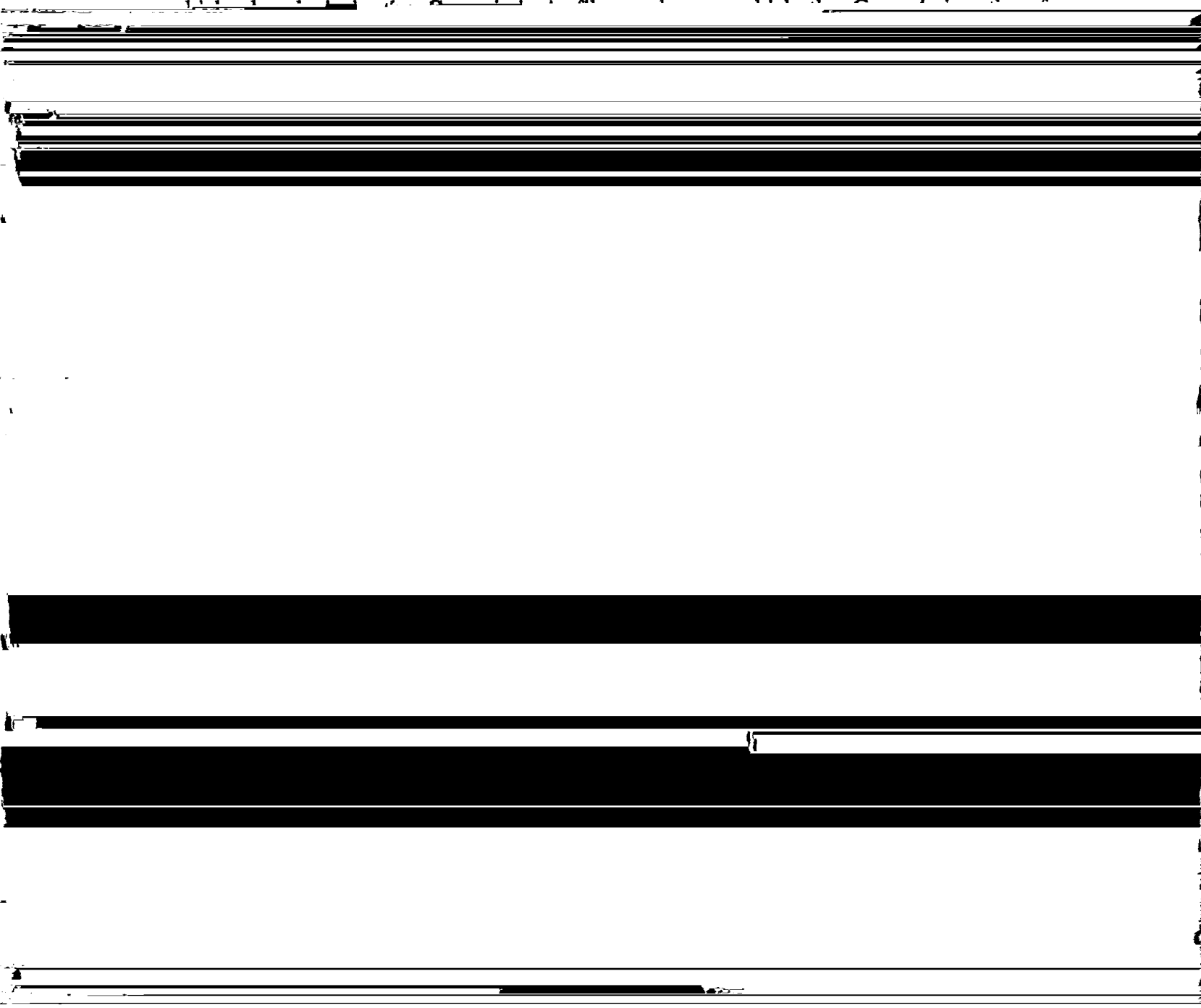
☐ Other (specify)

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT

Paperwork Reduction Act. Public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other

ENGINEERING AMENDMENT

The attached engineering materials correct certain information in response to Item 7, concerning the height of the existing tower and antenna which were used by Station WBBY-FM and which will be used by the applicant. A new tower sketch, reflecting such heights in meters, also is included. This information merely reflects data



SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?
If Yes, list old coordinates.

☐ Yes ☒ No

Latitude		Longitude	
----------	--	-----------	--

5. Has the FAA been notified of the proposed construction? **Existing facility**
If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

☐ Yes ☒ No

Exhibit No.

Date _____ Office where filed _____

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>Pine Lake (Pvt.)</u>	<u>6.5 km.</u>	<u>270°</u>
(b) _____	_____	_____

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level: 311 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 124 meters

(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 435 meters

- (b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground 111 meters (H)

111 meters (V)

(2) above mean sea level [(aX1) + (bX1)] 422 meters (H)

422 meters (V)

(3) above average terrain 109 meters (H)

109 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
E1

9. Effective Radiated Power:

(a) ERP in the horizontal plane

2.52 kw (H) 2.52 kw (V)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.

_____ kw (H) _____ kw (V)

-Polarization

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.816, including plot(s) and tabulations of the relative field.

Exhibit No.

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.815(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 315 mV/m service.

Exhibit No.

12. Will the main studio be within the protected 315 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.216 apply?

☒ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.
E3

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or contest) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(a) and 73.318.)

Exhibit No.

15. Attach as an Exhibit a 75 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers

Exhibit No.
E6

Complete map submitted with original application.

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 316 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 1802 sq. km. Population 310,000

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers

Exhibit No.

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☐ Linearly interpolated 30-second database

☐ 75 minute topographic map

(Source: _____)

☒ Other *(briefly summarize)*

Terrain data was taken from the file for WBBY currently on record with the Federal Communications Commission.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 816 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
212 "	146.9	16.0	27.8
0	99.4	13.1	23.1
45	71.6	11.1	19.8
90	77.1	11.5	20.5
135	85.6	12.1	21.6
180	115.8	14.2	24.9
225	147.2	16.0	27.8
270	137.8	15.5	27.0
315	133.5	15.2	26.6

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 11907 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.

If No, explain briefly why not.

See Exhibit E7

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

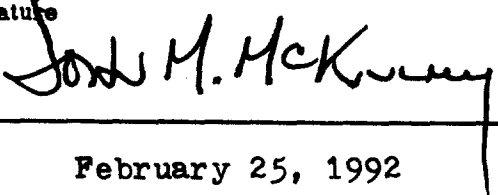
Name (Typed or Printed) John M. McKinley	Relationship to Applicant (e.g., Consulting Engineer) Consultant
Signature 	Address (Include ZIP Code) 510 Whitley Drive Gahanna, Ohio 43230
Date February 25, 1992	Telephone No. (Include Area Code) (614) 475-1747

EXHIBIT E1 - ANTENNA SKETCH

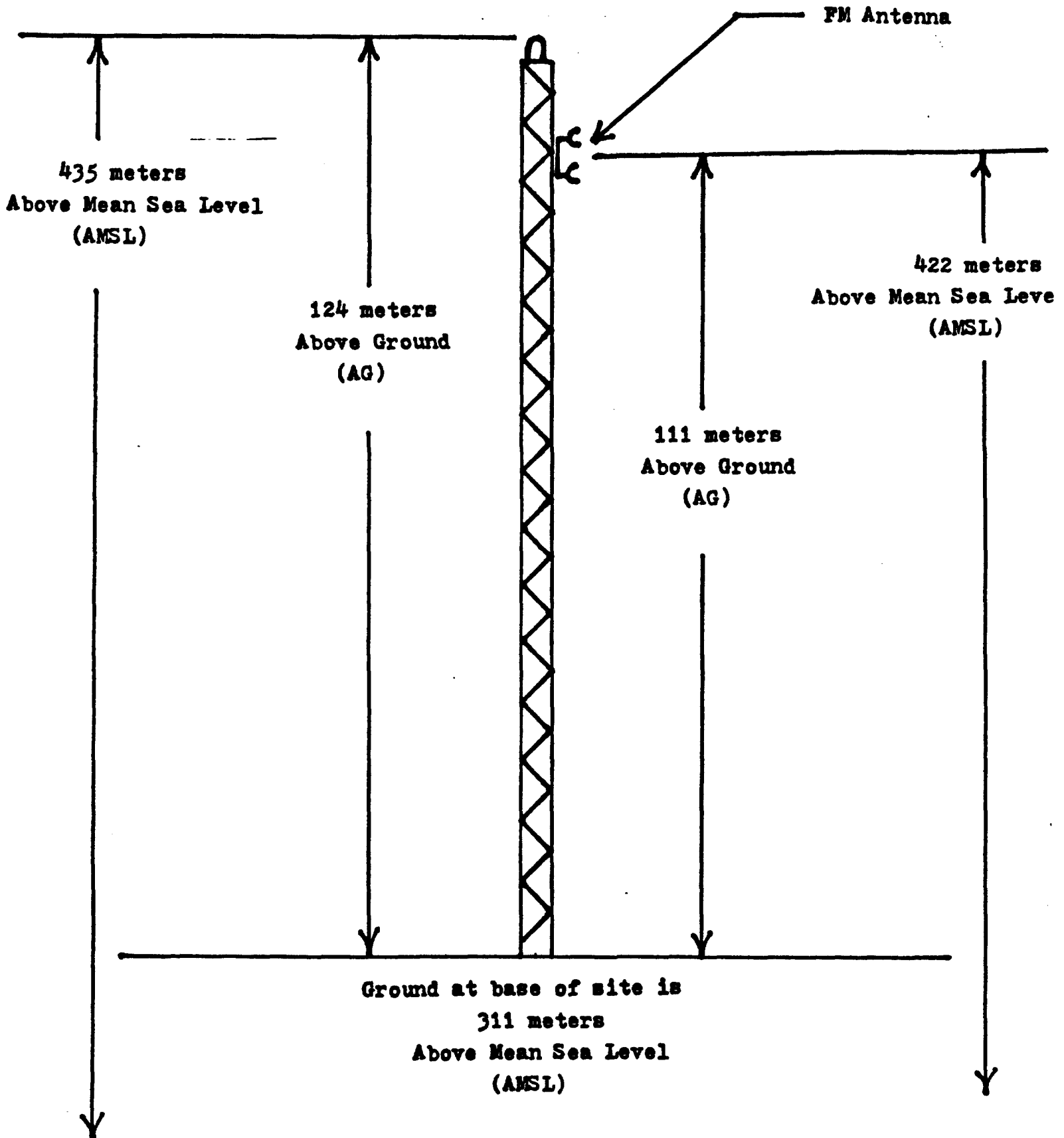


EXHIBIT E3 - SEPARATION REQUIREMENTS

Included with this exhibit is a spacing study from Dataworld. This spacing study reflects the latest spacings corresponding to the requirements for new class A facilities, which are now 6.0 kilowatts, Effective Radiated Power (ERP).

Since WBBY was licensed originally as a 3.0 kilowatt ERP Class A Facility, the separation requirement at that time between a Class A and a Class B station on adjacent channels was 105 kilometers (65 miles). The spacing study supplied by Dataworld shows the current spacing between WTIF in Tiffin, Ohio and WBBY to be 106.2 kilometers, short-spaced by 6.84 kilometers for a 6.0 kw. ERP Class A but not short-spaced for a "grandfathered" 3.0 kw. ERP Class A such as WBBY is.

Another interesting note to this spacing study is that WPAY on channel 281C (at a bearing of 184.8 degrees from WBBY) is shown to be clear of any spacing problems by a distance of 3.47 km. However, when WBBY was originally licensed, the spacing requirement for adjacent channel Class A (3.0 kw. ERP) to Class C stations was 169 kilometers (105 miles), instead of the current requirement of 165 kilometers. There was probably a "short-spacing" of about 0.5 kilometers at that time. Since WPAY-FM lies in a southerly direction, this is probably why the original owners could not situate the tower any closer to Westerville to provide 100% city grade coverage over the present incorporated boundaries of Westerville (see Exhibit E2).

Therefore, WBBY does fit the spacing requirements under 47 C.F.R. Section 73.213(c)(1).

OHIO BROADCAST CONSULTANTS, INC.
GAHANNA, OHIO

Page
January 20, 1992

FM Spacing study

Title: WBBY
Channel 280A (103.9 MHz)
Database: DW 01/06/92

Latitude: 40-14-04
Longitude: 82-50-20
Safety zone: 74 km

Call	Auth	Licensee name	Chan	ERP-kw	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
RM		RULE MAKING PETITION	226A		40-48-30	313.4	93.39	10
FOREST	OH	RM-7516	93.1		83-38-40	132.9	83.39	CLEAR
COUNTERPROPOSAL TO DOC-90-318; released 10/12/90								
RM		MOVE FROM CHILLICOTHE RE	227B		39-53-32	204.9	41.89	15
REYNOLDSBURG	OH	RM-7516	93.3		83-02-44	24.7	26.89	CLEAR
COUNTERPROPOSAL TO DOC-90-318;								
WKJ	APP	PEARL BROADCASTING INCOR	227B	50DA	39-35-30	198.0	75.05	15
CHILLICOTHE	OH	BPH-9002261B	93.3	150	83-06-38	17.9	60.05	CLEAR
Deletion proposed; Received per FCC release #14700 dated 03/30/90, accepted per 14706 dated 04/06/90; Affiliated with WBEX(AM)								
WHEI	CP	HEIDELBERG COLLEGE	*227D	.02	41-06-59	344.3	101.8	
TIFFIN	OH	BPED-820702AM	93.3	16	83-10-03	164.1		
FROM *205D; Network: AP								
WDEQ-FM LIC		RIVERSIDE LOCAL BOARD OF	*277D	.01	40-18-48	275.8	92.23	
DE GRAFF	OH	BLED-840202AB	103.3	1	83-55-06	95.1		
WSWZ	LIC	SKYWAY BROADCASTING COMP	278A	5.43	39-43-58	159.5	59.46	31
LANCASTER	OH	BLH-901015KD	103.5	100	82-35-43	339.7	28.46	CLEAR
Call Granted 05/11/89; License Granted 07/31/91 per FCC release #21181 dated 08/09/91								
WTIF-FM LIC		WTIF INCORPORATED	279B	50	41-08-20	341.3	106.2	113
TIFFIN	OH	BLH-850715KW	103.7	131	83-14-45	161.0	-6.84	SHORT
Network: ABC; Affiliated with WTIF(AM)								
ALLOC			280A		40-07-30	213.0	14.49	115
WESTERVILLE	OH		103.9		82-55-54	32.9	-101	SHORT
ALLOC REOPENS PER CF-22; Filling window 11/25-12/30/92								
ALLOC			280A		39-44-00	239.5	108.7	115
XENIA	OH		103.9		83-55-54	58.8	-6.34	SHORT
Allocated to BEAVER CREEK OH								
WYMJ-FM LIC		DAYTON RADIO INCORPORATE	280A	1.15	39-44-12	244.2	125.4	115
BEAVER CREEK	OH	BLH-841029CB	103.9	159	84-09-25	63.3	10.42	CLOSE
See XENIA OH								
WATQ-FM LIC		THOMAS COMMUNICATIONS CO	280A	3	39-40-40	109.7	178.6	115
NEW MARTINSVILLE	WV		103.9	91	80-52-42	291.0	63.57	CLEAR
Was WKGI 02/14/87; Affiliated with WETZ(AM)								
WQAL	LIC	WIN COMMUNICATIONS INCOR	281B	11	41-22-45	36.1	158.3	113
CLEVELAND	OH	BLH-860219KB	104.1	323	81-43-12	216.9	45.35	CLEAR

OHIO BROADCAST CONSULTANTS, INC.
GAHANNA, OHIO

Page 1
January 20, 1992

FM Spacing study

Title: WBBY
Channel 280A (103.9 MHz)

Latitude: 40-14-04
Longitude: 82-50-20

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License		St FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)

WQAL	CP	WIN COMMUNICATIONS INCOR	281B	11	41-22-45	36.1	158.3	113
CLEVELAND		OH BPH-9108261B	104.1	323	81-43-12	216.9	45.35	CLEAR
CP Granted 09/17/91 per FCC release #21214 dated 09/26/91								

WPAY-FM LIC	RADIO STATION	WPAY/WPFB	281C	100	38-43-20	184.8	168.5	165
PORTSMOUTH		OH BLK-890612KC	104.1	305	83-00-05	4.7	3.470	CLOSE
Network: MBS; License Granted 04/20/90 per FCC release #20842 dated 04/26/90; Affiliated with WPAY(AM)								

ALLOC			282A		40-25-36	298.8	44.62	31
RICHWOOD		OH DDC-90-121	104.3		83-18-00	118.5	13.62	CLOSE
Granted effective 12/13/91, adopted 10/16/91, released 10/29/91; Filing window 12/16-01/15/92 **CLOSED** ; DDC-90-121								

WQKT	LIC	WWST CORPORATION	283B	52	40-47-31	51.6	100.5	69
WOOSTER		OH	104.5	101	81-54-17	232.2	31.50	CLEAR
Network: AP SMN; Affiliated with WKVX(AM)								

>> End of channel 280A study <<

OHIO BROADCAST CONSULTANTS, INC.
GAHANNA, OHIO

Page 3
January 20, 1992

FM Spacing study

Title: WBBY
Channel 280A (103.9 MHz)
Database: FCC 11/26/91

Latitude: 40-14-04
Longitude: 82-50-20
Safety zone: 74 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
PRM	ADD	Pearl Broadcasting, Inc.	226A		40-48-30	313.4	93.39	10
Forest	OH	DOC-90-318	93.1		83-38-40	132.9	83.39	CLEAR
PRM	ADD	Pearl Broadcasting, Inc.	227B		39-53-32	204.9	41.89	15
Reynoldsburg	OH		93.3		83-02-44	24.7	26.89	CLEAR
WKKJ	APC	Pearl Broadcasting, Inc.	227B	SODA	39-35-30	198.0	75.05	15
Chillicothe	OH	BPH-9002261B	93.3	150	83-06-38	17.9	60.05	CLEAR
DA: oddball ODD9002261B @ 71 deg								
WDEQ-FM LIC		Riverside Local Board of	*277D	.01	40-18-48	275.8	92.23	
De Graff	OH	BLED-840202AB	103.3	1	83-55-06	95.1		

ALL OF 278A 22-48-48 157.5 55.02 21

OHIO BROADCAST CONSULTANTS, INC.
GAHANNA, OHIO

Page
January 20, 1992

FM Spacing study

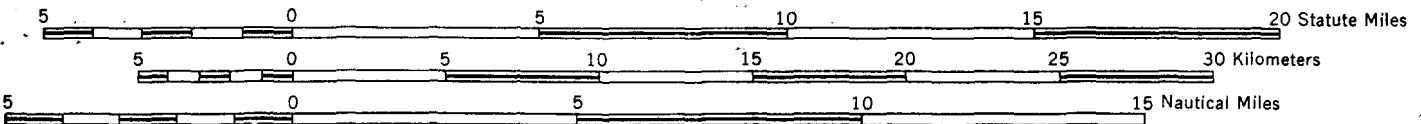
Title: WBBY
Channel 280A (103.9 MHz)

Latitude: 40-14-04
Longitude: 82-50-20

Call City of License	Auth Licensee name St FCC File no.	Chan ERP-kW Freq EAK-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
ALLOD New Martinsville	WV	280A 103.9	39-40-40 80-52-42	109.7 291.0	178.6 63.57	115 CLEAR
WATQ-FM LIC New Martinsville	Thomas Communications Co WV BLX-7626	280A 103.9	39-40-40 80-52-42	109.7 291.0	178.6 63.57	115 CLEAR
WQAL Cleveland	CP Win Communications, Inc. OH BPH-910826IB	281B 104.1	41-22-45 81-43-12	36.1 216.9	158.3 45.35	113 CLEAR
ALLOD Cleveland	OH	281B 104.1	41-22-45 81-43-12	36.1 216.9	158.3 45.35	113 CLEAR
WQAL Cleveland	LIC Win Communications, Inc. OH BLX-860219KB	281B 104.1	41-22-45 81-43-12	36.1 216.9	158.3 45.35	113 CLEAR
ALLOD Portsmouth	OH	281C 104.1	38-43-20 83-00-05	184.8 4.7	168.5 3.470	165 CLOSE
WPAY-FM LIC Portsmouth	Radio Stations WPAY/WPFB OH BLX-890612KC	281C 104.1	38-43-20 83-00-05	184.8 4.7	168.5 3.470	165 CLOSE
PRM Richwood	ADD Steven Heck OH DOC-90-121	282A 104.3	40-25-36 83-18-00	298.8 118.5	44.62 13.62	31 CLOSE
PRM West Liberty	ADD Ray Broadcasting Corp. OH RM-7196	282A 104.3	40-15-06 83-45-24	271.7 91.1	78.12 47.12	31 CLEAR
WQKT Wooster	LIC WWST Corporation OH BLX-790215AH	283B 104.5	40-47-31 81-54-17	51.6 232.2	100.5 31.50	69 CLEAR
ALLOD Wooster	OH	283B 104.5	40-47-31 81-54-17	51.6 232.2	100.5 31.50	69 CLEAR

>> End of channel 280A study

Scale 1:250,000



CONTOUR INTERVAL 100 FEET
DOTTED LINES REPRESENT 50-FOOT CONTOURS

OHIO BROADCAST CONSULTANTS, INC.
EXHIBIT E6 - PREDICTED CONTOURS

315°

0°

1.0 MV./M. CONTOUR

45°

3.16 MV./M. CONTOUR

TOWER SITE

270°

90°

WESTERVILLE

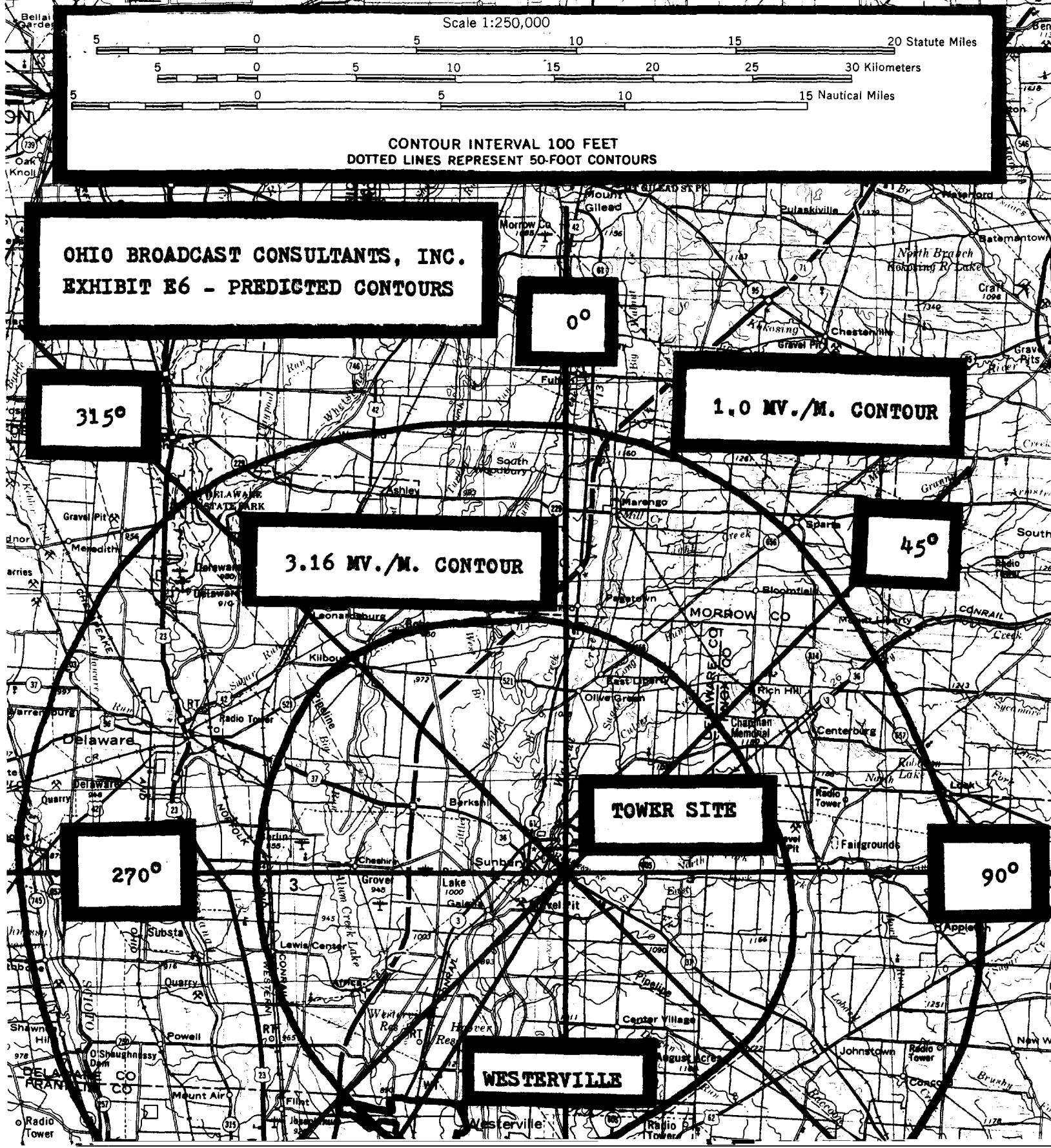


EXHIBIT E7 - ENVIRONMENTAL IMPACT

This application meets the requirements of 47 C.F.R. Section 1.1307 in that an environmental assessment (EA) does not need to be filed for the following reasons:

- (1) This application does not involve a site that would be located in any of the areas designated in 47 C.F.R. Section 1.1307 (a)(1)-(7).
- (2) This application does not involve a tower that would be equipped with high intensity white lights as defined in 47 C.F.R. Section 1.1307(a)(8).
- (3) This application does not involve a transmitting facility that would expose workers or the general public to levels of radiofrequency radiation in excess of the "Radio Frequency Protection Guides" recommended in "American National Standard Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 300 Khz. to 100 Ghz.", (ANSI C95.1-1982).

The applicant has reviewed the OST Bulletin No. 65 and has found that workers would be exposed to excessive levels of radiofrequency radiation if any worker would come within 15 meters of the center of radiation of the FM antenna. Since the FM antenna is to be mounted at a level of 111 meters above ground, workers would be exposed to excessive levels of RF energy if they were to climb above the 96 meter level with power applied to the antenna.

Therefore, a sign will be placed at the base of the tower which will read as follows:

**"ANYONE WHO CLIMBS ABOVE THE 96 METER LEVEL ON THIS TOWER
WILL BE EXPOSED TO DANGEROUS LEVELS OF RADIOFREQUENCY ENERGY"**

If the applicant needs to have work performed on the tower which involves a worker climbing above the 96 meter level, then all power being supplied to the antenna will be extinguished while this work is being done and workers are within 15 meters of the center of radiation of the FM antenna.

The transmitter building and tower will also be completely surrounded by a six foot high chain link fence with a barbed wire top and a locked gate.